

Exhibit C

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**DECLARATION OF RYAN WALTER REGARDING
DISTRIBUTION OF CLASS 1 ASTRAZENECA SETTLEMENT FUND**

The undersigned, RYAN WALTER, states that:

1. I submit this Declaration in order to provide the Court and the parties to the above-captioned litigation with information regarding the current estimated payout of the AstraZeneca Class 1 Settlement Fund. The Court-appointed Complete Claim Solutions, LLC (“CCS”) as Claims Administrator in this action. In February 2009, CCS began doing business as Rust Consulting, Inc. (“Rust”). This change was in name only.

2. I am a Project Manager at Rust. I am over 21 years of age and am not a party to this Action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

3. As the Court will recall, the Claims Administrator obtained data compiled by the Center for Medicare and Medicaid Services in order to send Notice packets to Class members. *See* Declaration of Eric P. LaChance Regarding Status of Claims Administration Activities Related to Settlement with Defendant AstraZeneca, Dkt. No. 5220, ¶¶ 5-6. At the time that Class Counsel sought final approval of the AstraZeneca Class 1 Settlement (“Settlement”), the Claims Administrator reported that, through April 14, 2008, the Claims Administrator had received 9,984 Claims Forms. *Id.* ¶ 11.

4. On June 11, 2010, after the Court granted final approval of the Settlement and final approval was affirmed by the First Circuit Court of Appeals, Rust distributed 8,636 checks in the amount of \$18,211,357.85. Since that time, Rust has utilized its best efforts both to encourage additional Class members to file claims and to encourage those Class members who had received checks under the Settlement to cash those checks. In total, Rust has disbursed a total of \$19,409,682.94; \$18,211,357.85 to 8,636 Class members and an additional \$1,198,325.09 has been forwarded to the Internal Revenue Service for payment of taxes due from Class Members who did not provide a social security or tax identification number as requested for 1099 reporting.

5. Specifically, approximately four (4) months after the initial distribution of checks, Rust reissued checks to Class Members whose check were stale dated or uncashed in an effort to have Class Members cash their checks.

6. Rust also initiated a telephone campaign to those Class Members whose checks were in excess of \$4,000. Rust was able to contact over 50% of them either directly or by leaving a voice mail to encourage them to cash their checks. However, there were 13 Class Members who were either no longer at the phone number or whose phone numbers were disconnected.

7. Rust forwarded a listing of the 13 Class members to Counsel. Counsel, using their in-house investigator, attempted to locate either relatives or next-of-kin for these Class Members. The investigator was able to locate a contact for eight of them and Rust called each of those eight contacts to encourage them to cash the check on behalf of the Class member who had originally received it. Of those eight people, two subsequently cashed their checks.

8. Rust has since forwarded another list of stale and outstanding checks to Class Counsel, whose investigator is going to attempt to locate relatives or next-of-kin for Class members with checks in excess of \$1,500.

9. In addition, even though the claims deadline was March 14, 2008, and even though Rust distributed all Settlement checks on June 11, 2010, pursuant to direction from Class Counsel and counsel for AstraZeneca, Rust has continued to accept late claims and, if authorized by the

Court, will pay valid late claims. As of February 28, 2011, Rust has received 14 late claims. Rust will also continue to reissue checks as requested by Class members.

10. Rust calculates the current estimated payout as follows:

Total Recognized Claims (\$6,428,902.41 x 2)	\$12,857,804.42
Original Charitable Payment	<u>+\$10,000,000.00</u>
Total Settlement Fund	\$22,857,804.82
Class Member Initial Payout	- <u>19,409,682.94</u>
Remaining Charitable Payment	\$ 3,448,121.88
Late Claims Payment	- 53,994.18
Funds remaining in Distribution Account (uncashed checks)	<u>736,996.42</u>
Estimated Total to <i>Cy Pres</i>	\$ 4,131.124.12

11. As set forth above, there is currently \$736,996.42 in uncashed checks. Uncashed checks include checks that were undeliverable, are outstanding, are stale dated, or are pending reissue. As set forth in Paragraph 8 above, Class Counsel are still trying to locate relatives and next-of-kin of Class members with uncashed checks. As Class Counsel locate those relatives or next-of-kin, the total amount available for *cy pres* distribution will decrease. However, even if Class Counsel locate next-of-kin for every one of those Class members and convince them to cash the Settlement checks, there will still be \$3,394.127.70 available for *cy pres* distribution.

12. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 28th day of February in Palm Beach Gardens, Florida.

/s/ Ryan Walter
Ryan Walter